

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

ESMIRAGDO LAGAPA JR.,	)	CIV NO 12-00074 ACK-RLP
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
RAYMOND MABUS SECRETARY	)	
OF THE NAVY,	)	
	)	
Defendant.	)	
_____	)	

ORDER ADOPTING MAGISTRATE'S  
FINDINGS AND RECOMMENDATION AS MODIFIED

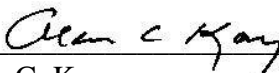
Findings and Recommendation having been filed and served on all parties on February 10, 2012, and no objections having been filed by any party,

IT IS HEREBY ORDERED AND ADJUDGED that, pursuant to Title 28, United States Code, Section 636(b)(1)(C) and Local Rule 74.2, the Findings and Recommendation are modified by this Court. Plaintiff's Title VII claim is dismissed with prejudice. Otherwise, Plaintiff's complaint is dismissed without prejudice subject to Plaintiff filing a complaint asserting a cause of action under the Age Discrimination in Employment Act of 1967, 29 U.S.C. § 621, et seq., within thirty days. Plaintiff may file another application to proceed without prepayment of fees. If Plaintiff does not file a new complaint within thirty days, the case will be dismissed.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, March 9, 2012.



  
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Alan C. Kay  
Sr. United States District Judge

Lagapa v. Mabus, Civ. No. 12-00074 ACK-RLP: Order Adopting as Modified Magistrate's Findings and Recommendation.